

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CENTER FOR BIOLOGICAL DIVERSITY;
DEFENDERS OF WILDLIFE; ANIMAL LEGAL
DEFENSE FUND,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States of America, *et al.*,

Defendants.

Civil Action No. 19-CV-00408 (TNM)

RIO GRANDE INTERNATIONAL STUDY
CENTER (RGISC), *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States of America, *et al.*,

Defendants.

Civil Action No. 19-CV-00720 (TNM)

UNITED STATES HOUSE OF
REPRESENTATIVES,

Plaintiff,

v.

STEVEN T. MNUCHIN, in his official capacity as
Secretary of the Treasury, *et al.*,

Defendants.

Civil Action No. 19-CV-00969 (TNM)

**SUPPLEMENT TO NOTICE OF DECISION BY THE DEPARTMENT OF DEFENSE
TO AUTHORIZE BORDER BARRIER PROJECTS PURSUANT TO 10 U.S.C. § 2808**

On September 3, 2019, Defendants notified the Court and parties that the Secretary of Defense had authorized eleven border barrier projects in California, Arizona, New Mexico, and Texas pursuant to 10 U.S.C. § 2808. *See* ECF No. 37 in 19-CV-00408; ECF No 49 in 19-CV-00720; ECF No. 67 in 19-CV-00969. To fund the projects, the Secretary of Defense authorized the Department of the Army to expend up to \$3.6 billion in unobligated military construction funds. *See id.* The Secretary of Defense directed that, initially, only funds associated with deferred military construction projects located outside of the United States will be provided to the Department of the Army. *See id.* Deferred military construction projects outside of the United States account for \$1.8 billion of the required funds. *See id.* The remaining \$1.8 billion associated with deferred military construction projects located in the United States (including U.S. territories) will be made available to the Secretary of the Army when it is needed for obligation. *See id.* As a supplement to Defendants' notice, the list of unobligated military construction projects currently identified for deferral is attached as Exhibit 1.

Dated: September 5, 2019

Respectfully submitted,

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EXHIBIT 1

2808 Deferrals in United States Territories (\$ in thousands)

State Country Title	Location Title	Award Date	Line Item Title	Fiscal Year Enactment	Amount
GUAM	Joint Region Marianas	December 2020	Earth Covered Magazines	2019	52,270
		September 2020	PRTC Roads	2016	2,500
		July 2020	Water Well Field	2018	56,088
		June 2020	Navy-Commercial Tie-In Hardening	2018	37,180
		March 2020	Machine Gun Range	2019	50,000
		February 2020	APR - Munitions Storage Igloos, Ph 2	2017	35,300
		February 2020	Hayman Munitions Storage Igloos MSA 2	2019	9,800
		January 2020	APR - SATCOM C4I Facility	2017	14,200
PUERTO RICO	Arroyo	January 2021	Readiness Center	2018	30,000
	Camp Santiago	March 2021	Company Headquarters Bldg -Transient Training	2018	47,000
		March 2021	Dining Facility, Transient Training	2018	13,000
		September 2020	Engineering/Housing Maintenance Shops (DPW)	2018	11,000
		September 2020	Maneuver Area Training Equipment Site	2018	80,000
		September 2020	National Guard Readiness Center	2018	50,000
		September 2020	Power Substation/Switching Station Building	2018	18,500
	Gurabo	January 2021	Vehicle Maintenance Shop	2018	28,000
	Punta Borinquen	December 2019	Ramey Unit School Replacement	2018	61,071
	San Juan	January 2021	Aircraft Maintenance Hangar (AASF)	2018	64,000
VIRGIN ISLANDS	St. Croix	January 2021	Vehicle Maintenance Shop	2018	20,000
	St. Thomas	September 2020	Power Substation/Switching Station Building	2018	3,500
		September 2020	National Guard Vehicle Maintenance Shop Add/A	2018	3,875
Grand Total					687,284

2808 Deferrals in the 50 United States (\$ in thousands)

State Country Title	Location Title	Award Date	Line Item Title	Fiscal Year Enactment	Amount
ALABAMA	Anniston Army Depot	March 2020	Weapon Maintenance Shop	2019	5,200
ALASKA	Eielson AFB	February 2021	Repair Central Heat/Power Plant Boiler PH 4	2018	41,000
		January 2020	Repair Central Heat & Power Plant Boiler Ph3	2016	34,400
		January 2020	Eielson AFB Improved CATM Range	2019	19,000
	Fort Greely	January 2021	Missile Field #1 Expansion	2019	8,000
ARIZONA	Fort Huachuca	May 2020	Ground Transport Equipment Building	2018	30,000
CALIFORNIA	Channel Islands ANGS	July 2020	Construct C-130J Flight Simulator Facility	2019	8,000
COLORADO	Peterson AFB	September 2020	Space Control Facility	2018	8,000
FLORIDA	Tyndall AFB	January 2020	Fire/Crash Rescue Station	2018	17,000
HAWAII	Joint Base Pearl Harbor-Hickam	September 2020	Consolidated Training Facility	2018	5,500
	Kaneohe Bay	May 2020	Security Improvements Mokapu Gate	2018	26,492
INDIANA	Crane Army Ammunition Plant	March 2020	Railcar Holding Area	2019	16,000
	Hulman Regional Airport	February 2020	Construct Small Arms Range	2018	8,000
KENTUCKY	Fort Campbell, Kentucky	February 2020	Ft Campbell Middle School	2019	62,634
LOUISIANA	Joint Reserve Base New Orleans	January 2020	NORTHCOM - Construct Alert Apron	2019	15,000
		January 2020	NORTHCOM - Construct Alert Facilities	2019	24,000
MARYLAND	Fort Meade	June 2020	Cantonment Area Roads	2019	16,500
	Joint Base Andrews	June 2020	PAR Relocate Haz Cargo Pad and EOD Range	2019	37,000
		January 2020	Child Development Center	2019	13,000
MISSISSIPPI	Jackson IAP	August 2020	Construct Small Arms Range	2018	8,000
NEW MEXICO	Holloman AFB	March 2020	MQ-9 FTU Ops Facility	2019	85,000
	White Sands	February 2020	Information Systems Facility	2019	40,000
NEW YORK	U.S. Military Academy	June 2020	Engineering Center	2019	95,000
		June 2020	Parking Structure	2019	65,000
		April 2020	2nd Radio BN Complex, Phase 2	2019	25,650
NORTH CAROLINA	Camp Lejeune, North Carolina	January 2020	Ambulatory Care Center Addition/Alteration	2018	15,300
		Previously cancelled	Butner Elementary School Replacement	2016	32,944
	Fort Bragg	April 2020	KC-46A ADAL for Alt Mission Storage	2018	6,400
	Seymour Johnson AFB	May 2020	Construct Small Arms Range	2018	8,000
OKLAHOMA	Tulsa IAP	February 2020	Construct Indoor Range	2018	8,000
OREGON	Klamath Falls IAP	January 2020	Replace Fuel Facilities	2016	2,500
SOUTH CAROLINA	Beaufort	April 2020	Laurel Bay Fire Station Replacement	2019	10,750
TEXAS	Fort Bliss	January 2020	Defense Access Roads	2018	20,000
	Joint Base San Antonio	February 2020	Camp Bullis Dining Facility	2018	18,500
UTAH	Hill AFB	August 2020	Composite Aircraft Antenna Calibration Fac	2019	26,000
		January 2020	UTTR Consolidated Mission Control Center	2018	28,000
VIRGINIA	Joint Base Langley-Eustis	January 2020	Construct Cyber Ops Facility	2019	10,000
	Norfolk	January 2020	Replace Hazardous Materials Warehouse	2018	18,500
	Pentagon	Previously cancelled	Pentagon Metro Entrance Facility	2017	12,111
	Portsmouth	January 2020	Replace Hazardous Materials Warehouse	2018	22,500
		January 2020	Ships Maintenance Facility	2019	26,120
WASHINGTON	Bangor	February 2021	Pier and Maintenance Facility	2019	88,960
WISCONSIN	Truax Field	March 2020	Construct Small Arms Range	2018	8,000
Grand Total					1,075,961

2808 Deferrals Outside of the United States (\$ in thousands)

State Country Title	Location Title	Award Date	Line Item Title	Fiscal Year Enactment	Amount
BAHRAIN ISLAND	SW Asia	February 2020	Fleet Maintenance Facility & TOC	2019	26,340
BELGIUM	Chievres AB	September 2020	Europe West District Superintendent's Office	2019	14,305
BULGARIA	Nevo Selo Fos	October 2020	EDI: Ammunition Holding Area	2019	5,200
CUBA	Guantanamo Bay	February 2020	Working Dog Treatment Facility Replacement	2019	9,080
ESTONIA	Unspecified Estonia	December 2020	EDI: SOF Operations Facility	2019	6,100
		December 2020	EDI: SOF Training Facility	2019	9,600
GERMANY	Baumholder	April 2021	SOF Joint Parachute Rigging Facility	2019	11,504
	East Camp Grafenwoehr	January 2020	Mission Training Complex	2019	31,000
	Panzer Kaserne	June 2021	MARFOREUR HQ Modernization and Expansion	2019	43,950
	Ramstein AB	September 2020	37 AS Squadron Operations/AMU	2017	13,437
		September 2020	EDI - KMC DABS-FEV/RH Storage Warehouses	2019	119,000
	Spangdahlem AB	July 2020	F/A-22 Low Observable/Composite Repair Fac	2017	18,000
		August 2021	EIC - Site Development and Infrastructure	2017	43,465
		March 2020	Spangdahlem Elementary School Replacement	2018	79,141
		March 2020	Upgrade Hardened Aircraft Shelters for F/A-22	2017	2,700
	Stuttgart	June 2022	Robinson Barracks Elem. School Replacement	2018	46,609
	Weisbaden	December 2022	Clay Kaserne Elementary School	2019	56,048
	Wiesbaden Army Airfield	November 2019	Hazardous Material Storage Building	2017	2,700
GREECE	Souda Bay	November 2019	EDI: Marathi Logistics Support Center	2019	6,200
		October 2019	EDI: Joint Mobility Processing Center	2019	41,650
HUNGARY	Kecskemet AB	October 2020	ERI: Airfield Upgrades	2018	12,900
		October 2020	ERI: Construct Parallel Taxiway	2018	30,000
		April 2020	ERI: Increase POL Storage Capacity	2018	12,500
ITALY	Sigonella	August 2020	EDI: P-8A Taxiway and Apron Upgrades	2019	66,050
JAPAN	Camp Mctureous	April 2020	Bechtel Elementary School	2019	94,851
	Iwakuni	March 2020	Fuel Pier	2019	33,200
		January 2020	Construct Bulk Storage Tanks PH 1	2018	30,800
	Kadena AB	June 2020	Truck Unload Facilities	2019	21,400
		May 2020	SOF Maintenance Hangar	2018	3,972
		May 2020	SOF Maintenance Hangar	2017	42,823
		January 2020	APR - Replace Munitions Structures	2017	19,815
	Yokota AB	February 2020	C-130J Corrosion Control Hangar	2017	23,777
		January 2020	Construct CATM Facility	2017	8,243
		December 2019	Hangar/Aircraft Maintenance Unit	2018	12,034
		December 2019	Hangar/AMU	2017	39,466
		December 2019	Operations and Warehouse Facilities	2018	8,590
		December 2019	Operations and Warehouse Facilities	2017	26,710
	Yokosuka	March 2020	Kinnick High School Inc 1	2019	40,000
KOREA	Camp Tango	December 2020	Command and Control Facility	2019	17,500
	Kunsan AB	December 2019	Unmanned Aerial Vehicle Hangar	2018	53,000
LUXEMBOURG	Sanem	April 2021	ERI: ECAOS Deployable Airbase System Storage	2018	67,400
NORWAY	Rygge	November 2020	ERI: Replace/Expand Quick Reaction Alert Pad	2018	10,300
POLAND	Poland	September 2020	EDI: Staging Areas	2019	34,000
		September 2020	EDI: Staging Areas	2019	17,000
		June 2020	EDI: Ammunition Storage Facility	2019	52,000
		April 2020	EDI: Rail Extension and Railhead	2019	6,400
	Powidz Air Base	November 2020	EDI: Bulk Fuel Storage	2019	21,000
ROMANIA	Mihail Kogalniceanu	November 2019	EDI: Explosives & Ammo Load/Unload Apron	2019	21,651
SLOVAKIA	Malacky	December 2020	EDI - Regional Munitions Storage Area	2019	59,000
		February 2020	ERI: Increase POL Storage Capacity	2018	20,000
		November 2019	ERI: Airfield Upgrades	2018	4,000
	Sliac Airport	November 2019	ERI: Airfield Upgrades	2018	22,000
SPAIN	Rota	January 2020	EDI: Port Operations Facilities	2019	21,590
TURKEY	Incirlik AB	August 2020	OCO: Relocate Base Main Access Control Point	2018	14,600
UNITED KINGDOM	Croughton RAF	January 2020	Croughton Elem/Middle/High School Replacement	2017	71,424
		October 2019	Main Gate Complex	2017	16,500
	Menwith Hill Station	February 2020	RAFMH Main Gate Rehabilitation	2018	11,000
	Royal Air Force Fairford	November 2019	EIC RC-135 Infrastructure	2018	2,150
		November 2019	EIC RC-135 Intel and Squad Ops Facility	2018	38,000
		November 2019	EIC RC-135 Runway Overrun Reconfiguration	2018	5,500
	Raf Fairford	September 2020	EDI - Munitions Holding Area	2019	19,000
		September 2020	EDI - Construct DABS-FEV Storage	2019	87,000
WORLDWIDE CLASSIFIED	Classified Location	January 2020	TACMOR - Utilities and Infrastructure Support	2019	18,000
WW unspecified	WW unspecified	February 2021	Planning and Design	2018	13,580
Grand Total					1,836,755